

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**LESLIE A. FREEMAN,**  
**Plaintiff**

**v.**

**NANCY A. BERRYHILL,**  
**Defendant**

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**No. 1:17-cv-01071**

**(Judge Kane)**  
**(Magistrate Judge Saporito)**

**ORDER**

**AND NOW**, on this 20th day of June 2019, in accordance with the Memorandum issued concurrently with this Order, **IT IS ORDERED THAT**, upon independent review of the applicable law:

1. Plaintiff's objection to the Report and Recommendation of Magistrate Judge Saporito as to its conclusion that the Administrative Law Judge ("ALJ") did not abuse his discretion when he denied Plaintiff's request for a continuance (Doc. Nos. 11, 12) is **OVERRULED**;
2. Plaintiff's objection to the Report and Recommendation as to its conclusion that the ALJ did not err in his assignment of weight to the medical opinions of her treating physicians (Doc. Nos. 11, 12) is **SUSTAINED**;
3. The Court **ADOPTS** the Report and Recommendation (Doc. No. 10) as to its conclusion that the ALJ did not abuse his discretion when he denied Plaintiff's request for a continuance;
4. The Court **DECLINES TO ADOPT** the Report and Recommendation (Doc. No. 10) in all other respects;
5. The above-captioned case is **REMANDED** for further consideration of the evidence by the Acting Commissioner of Social Security ("Acting Commissioner") consistent with the Memorandum issued concurrently with this Order; and

6. The Clerk is directed to enter judgment in favor of Plaintiff and against the Acting Commissioner and to **CLOSE** the above-captioned action.

s/ Yvette Kane

Yvette Kane, District Judge  
United States District Court  
Middle District of Pennsylvania